

Dear Honorable Committee,

I am Charlene Dutka from Goshen, thank you for allowing me to provide testimony in support of Raised Bill No. 246 AN ACT CONCERNING LIABILITY FOR DAMAGE CAUSED BY A DOG. I do believe our family pets, in this instance our family dog should be recognized as more than personal property. I would like to tell you why.



In May of 2008 I was walking my dog, Maxx, he was on a leash, and we were accompanied by my 5 year old son. An unknown dog turned the corner, baring his large teeth. We were standing over 50 feet away from the corner where the dog was standing, ready to attack, there was nowhere to go for safety. My first thought was to protect my son. My son, Manty had only been in our home for 3 weeks to the day. Manty did not speak English, and I did not speak Lithuanian. Manty was adopted so he could join his older brothers who we adopted 11 years prior. Finally I was able to get Manty to stand quietly behind me. Actually Maxx, and his litter sister were purchased for our sons 11 years ago.

Next my action was to protect my Maxx, the 80 lb. black lab who consumed my heart and soul. As I turned from Manty to pull Maxx behind me, the dog had already torn through Maxx's collar and began to drag him. I did not want to distract the dog with any movement from Manty. Once it was obvious the dog was intent on Maxx, through our screams I able to get Manty to run home for help.

The female owner of the dog came out of the house. I screamed telling her, that her dog was killing my dog, she told me he was nice and only playing. She attempted to pull the dog off of Maxx, with no success. She ran in the house. I dug up large rocks hitting the dog, he would only drag Maxx harder, and Maxx's screams would increase. The story is long and painful.

Maxx was dragged over 100 feet, into a ravine filled with water, his body was thrashed back and forth much like a rag doll.

Maxx survived, thanks to the bravery of my older sons, and the fact the dog thought Maxx was dead. Maxx was triaged at the Emergency Animal Hospital in Avon, CT, and then transported to a special hospital in New York. Maxx spent 10 days in the hospital; after he was released we drove him to the doctors, either in Torrington or New York, daily for over two weeks.

Maxx's ear was reattached, he had metal plates inserted in his jaw, and he had his leg and shoulder amputated among other injuries. Maxx never lost his loving heart.

The owner of the dog, provided gave us a copy of their homeowner's insurance. The insurance agent offered us \$200 for Maxx and \$800 for trauma. The \$200 covered Maxx's replacement value; I explained his vet bills totaled nearly \$20,000. The representative told me I needed to think of Maxx as personal property, similar to an old car, when the repairs exceed the value of the car, the car is totaled.

Needless to say, I was shocked. I asked her if she was actually telling me I should have let Maxx die because he had no monetary value.

The dog that attacked Maxx lived in the house for one week to the day. He was placed multiple times by a rescue agency, and the ad at the agency stated he could not be near male canines. The state police log stated, the children in the house let the dog out when he went to the door as he saw us walking by the house.

Maxx lived for 2 and half years after the attack. The bill, if passed would hold irresponsible dog owners financially responsible. Maxx was amazing.

Thank you.